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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,318	07/23/2004	Joon-Bae Park	P-0711	1811
34610	7590	08/24/2007		
KED & ASSOCIATES, LLP			EXAMINER	
P.O. Box 221200			SMITH, CHENECA	
Chantilly, VA 20153-1200				
			ART UNIT	PAPER NUMBER
			2192	
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			08/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/502,318	Applicant(s) PARK, JOON-BAE	
	Examiner Cheneca P. Smith	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/24/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It does not state that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.

Remarks

2. Applicant's amendment and response dated June 5, 2007, responding to the March 7, 2007 Office Action provided in the rejection of claims 1-8, wherein claims 1,3,4, 6, 7 are amended. Thus claims 1-8 remain pending in this application and have been fully considered by the examiner.

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Howard et al (US Patent 6,954,850 B1) in view of Barile et al (US Patent 5,837,986 – art made of record).

As to claim 1, Howard teaches a system for upgrading data of an electric home appliance, comprising:

an electric home appliance having a microcomputer built-in (see FIG1: 42,44 and column 4, lines 37-43) and

a computer system for displaying data for updating the microcomputer of the electric home appliance on a display device by connecting to the Internet (see FIG. 1, 32 and column 4, lines 20-26; *it is inherent that the computer system has a display device, as desktop computers characteristically include display devices to display information to various users*).

Howard does not specifically teach a detector which is connected with the electric home appliance, configured to be attached on a display surface of the display device to read the data displayed thereon and apply the data to the electric home appliance. However, in an analogous art, Barile is cited to teach a detector, which is connected with the electric home appliance to read the data displayed and apply the data to the electric home appliance (see FIG.1 and associated text, i.e. column 2, lines 51-56, column 4, lines 17-25 and column 7, lines 21-22). Barile does not specifically teach that the detector of his invention is configured to be attached on a display surface of the display device. However, one having ordinary skill in the art would have been motivated to attach the detector of Barile's invention directly to the display device to ensure that the detector was always in proper position to easily read or scan the data being displayed, and/or once a certain location of such displayed data had been established, it would have been obvious to permanently position the detector/reader taught by Barile by attaching it to a fixed position. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Howard and Barile to provide a user with a better method for reprogramming a device by using a hardware apparatus already within or coupled to the device as to eliminate the need to provide additional hardware for such reprogramming purposes, as disclosed by Barile (see column 2, lines 36-41).

As to claim 2, Howard in view of Barile teaches the system of claim 1, wherein the electric home appliance has a protocol for analyzing the data applied in the detector built-in (see Howard: FIG.2, 56 and column 4, lines 51-54 and lines 62-64).

As to claim 3, Barile further teaches wherein the computer system displays the data on the display device using colors (see FIG. 1, 14 and associated text, i.e. column 6, lines 51-55 and column 14, lines 33-42).

As to claim 4, Barile teaches wherein the computer system displays the data on the display device using colors (see FIG. 1, 14 and associated text, i.e. column 6, lines 51-55 and column 14, lines 33-42).

As to claim 5, Barile further teaches wherein the detector reads the data displayed on the display device as colors (see FIG. 1, 14 and associated text, i.e. column 6, lines 51-55 and column 14, lines 33-42).

As to claim 6, Barile teaches wherein the data is displayed on the display device as black and white (see FIG. 1, 14 and associated text, i.e. column 6, lines 51-55 and column 14, lines 33-42).

As to claim 7, Howard teaches a system for upgrading data of an electric home appliance, comprising:

an electric home appliance having a communication port, which can upgrade functions of a built-in microcomputer (see FIG.1: 42, 48) and

a computer system which performs downloading of update data of the electric home appliance by connecting to the Internet and which displays the data on a display device as black and white (see FIG.1, 32 and associated text, i.e. column 2, lines 46-50; *it is inherent that the computer system has a display device, as desktop computers characteristically include display devices to display information to various users*).

Howard does not specifically teach a detector configured to be attached on a display surface of the display device of the computer system and which is connected with the communication port of the electric home appliance by a cable wherein the detector reads the black and white data displayed on the display surface of the display device and applies the data to the electric home appliance. However, in an analogous art, Barile is cited to teach a detector which is connected with the communication port of the electric home appliance by a cable wherein the detector reads the black and white data displayed on the display surface of the display device and applies the data to the electric home appliance (see FIG.1 and associated text, i.e. column 2, lines 51-56, column 4, lines 17-25 and column 7, lines 21-22). Barile does not specifically teach that the detector of his invention is configured to be attached on a display surface of the display device. However, one having ordinary skill in the art would have been motivated to attach the detector of Barile's invention directly to the display device to ensure that the detector was always in proper position to easily read or scan the data being displayed and/or once a certain location of such displayed data had been established, it would have been obvious to permanently position the detector/reader taught by Barile by attaching it to a fixed position. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Howard and Barile to provide a user with a better method for reprogramming a device by using a hardware apparatus already within or coupled to the device as to eliminate the need to provide additional hardware for such reprogramming purposes, as disclosed by Barile (see column 2, lines 36-41).

As to claim 8, Howard in view of Barile teaches the system of claim 7, wherein the electric home appliance has a protocol for analyzing the data applied in the detector built-in (see FIG. 2, 56 and column 4, lines 51-54 and lines 62-64).

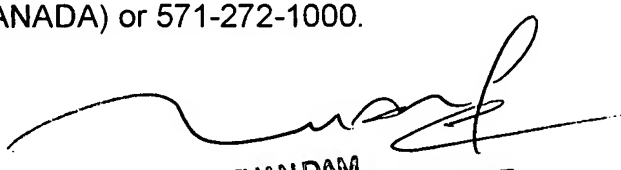
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheneca P. Smith whose telephone number is (571) 270-1651. The examiner can normally be reached on Monday-Friday 7:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CS
8/20/2007


TUAN DAM
SUPERVISORY PATENT EXAMINER